

1 THE HONORABLE THOMAS S. ZILLY
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 MOLLY MOON'S HOMEMADE ICE
10 CREAM LLC,

11 Plaintiff,

12 v.

13 CITY OF SEATTLE,

14 Defendant.

15 NO. 2:23-cv-00859-TSZ

16 STIPULATION AND [PROPOSED] ORDER
17 EXTENDING DEADLINE FOR DEFENDANT
18 TO RESPOND TO PLAINTIFF'S AMENDED
19 COMPLAINT

20 [NOTE ON MOTION CALENDAR:
21 JUNE 29, 2023]

22 **STIPULATION**

23 Plaintiff Molly Moon's Homemade Ice Cream LLC ("Molly Moon's") and Defendant City
24 of Seattle hereby stipulate as follows:

25 WHEREAS, Molly Moon's filed a complaint in this action on June 7, 2023;

26 WHEREAS, the City was served on June 9, 2023;

27 WHEREAS, Molly Moon's filed an amended complaint in this action on June 28, 2023;

28 WHEREAS, the current deadline for the City to answer or otherwise respond to Molly
29 Moon's' amended complaint is July 12, 2023;

30 WHEREAS, Molly Moon's' amended complaint alleges facts and claims that are
31 substantially similar to the facts and claims alleged by plaintiff Oma Bap in *3Pak, LLC d/b/a Oma*
32 *Bap v. City of Seattle*, Case No. 2:23-cv-00540-TSZ (W.D. Wash.) ("Oma Bap");

33 STIPULATION AND [PROPOSED] ORDER EXTENDING
34 DEADLINE TO RESPOND TO PLAINTIFF'S AMENDED
35 COMPLAINT - 1
(Case No. 2:23-cv-00859)

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1 WHEREAS, the City moved to dismiss plaintiff Oma Bap's complaint in *Oma Bap* and
2 that motion is awaiting decision by this Court;

3 WHEREAS, the parties believe that the Court's ruling on the City's motion to dismiss in
4 *Oma Bap* may clarify or affect the parties' claims and/or defenses in this case;

5 WHEREAS, the parties have stipulated to extend the deadline for the City to answer or
6 otherwise respond to Molly Moon's' amended complaint from Friday, July 12, 2023 to Thursday,
7 July 27, 2023; and

8 WHEREAS, the requested extension will not affect any other deadlines in the case;

9 NOW THEREFORE, the parties, through their respective counsel of record, do hereby
10 stipulate and agree that the City's response to Molly Moon's' amended complaint will be due on or
11 before July 27, 2023.

12 **STIPULATED AND AGREED TO** this 29th day of June, 2023.

13 **MORGAN, LEWIS & BOCKIUS LLP**

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25 *Attorneys for Plaintiff Molly Moon's
26 Homemade Ice Cream LLC*

STIPULATION AND [PROPOSED] ORDER EXTENDING
DEADLINE TO RESPOND TO PLAINTIFF'S AMENDED
COMPLAINT - 2
(Case No. 2:23-cv-00859)

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[PROPOSED] ORDER

Having considered the parties' stipulation, and good cause having been demonstrated, the Court hereby orders that the deadline for the City to answer or otherwise respond to Plaintiff Molly Moon's Homemade Ice Cream's amended complaint be extended to July 27, 2023.

IT IS SO ORDERED.

Dated this _____ day of _____, 2023.

The Honorable Thomas S. Zilly
United States District Judge

Presented by:

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By: s/ Shane P. Cramer

By: s/ Erica Iverson

By: *s/ Ashley D. Burman*

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STIPULATION AND [PROPOSED] ORDER EXTENDING
DEADLINE TO RESPOND TO PLAINTIFF'S AMENDED
COMPLAINT - 3
(Case No. 2:23-cv-00859)

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